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Patents and
Intellectual Property
Matters

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January 8, 2010

FEB 22 2010

OFFICE OF PETITIONS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

US Patent No.: 6,901,987 Appl. No.: 10/672,818
Patentee : Graham, Jonathan W.
Filed: : 09/26/2003 Issued : 06/07/2005
Title : FURLED DECORATIVE COVERING APPARATUS AND
METHOD

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Inquiry to the Office of Petitions
Attention: Steven Brantley, Esquire

Sir;

Following a telephone conversation with Steven Brantley in the Office of Petitions on Jan. 8, 2008, the undersigned submits the following.

The patentee filed a Petition to Accept Unintentionally Delayed Payment of Maintenance Fee in an Expired Patent on July 6, 2009 (the "Petition"). A full and true copy of the Petition is attached hereto, together with a copy of the front page US patent 6,901,987. The Petition included a check in the amount of \$2130.00 to cover the applicable statutory fee. Upon checking the patentee's banking records, it is apparent that check #31615 in the amount of \$2130.00 was cashed by the US Patent Office on July 14, 2009. The Petition was properly submitted via US First Class Mail under a 37 C.F.R. § 1.89(a) Certificate of Mailing. A full and true copy of that Certificate is included with the attached Petition.

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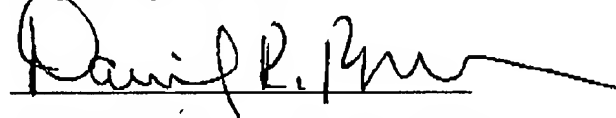
Page 2
Jan. 8, 2010

The motivating event for this inquiry is that the PTO website has never indicated receipt of the petition, revival of the patent, or any other indication of processing of the Petition in the Maintenance Fee pages of uspto.gov. In the conversation with Steven Brantley, Esquire of the Office of Petitions, it became apparent that the Petition was never scanned into the PTO document system.

Accordingly, the patentee, through the undersigned counsel, hereby request that this paper and its attachments be reviewed, considered, and entered into the PTO document system, and that the Petition be granted and that US patent 6,901,987 be revived retroactively to July 6, 2009.

Thank you for your attention in this matter.

Respectfully submitted;



Daniel R. Brown; Reg. No. 37,787
Customer No. 73,994
E-mail: dan@danbrownlaw.com
Phone: 817-431-1799

Encl.

2010 JAN 26 PM 4:34

JAN 25 2010

PTO/SB/88 (03-09)

Approved for use through 03/31/2012, OMB 0851-0016
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**PETITION TO ACCEPT UNINTENTIONALLY DELAYED PAYMENT OF
MAINTENANCE FEE IN AN EXPIRED PATENT (37 CFR 1.378 (c))**

Docket Number (Optional)

MD-001

Mail to: Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
Fax: (571) 273-8300

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NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (571) 272-3282.

Patent No. 6,901,987Application Number 10/572,818Issue Date June 7, 2005Filing Date 9/26/2003

CAUTION: Maintenance fee (and surcharge, if any) payment must correctly identify: (1) the patent number (or reissue patent number, if a reissue) and (2) the application number of the actual U.S. application (or reissue application) leading to issuance of that patent to ensure the fee(s) is/are associated with the correct patent, 37 CFR 1.366(c) and (d).

Also complete the following information, if applicable

The above -- identified patent

☐

Is a reissue of original Patent No. _____ original issue date _____

original application number _____

original filing date _____

☐

resulted from the entry into the U.S. under 35 U.S.C. 371 of international application _____

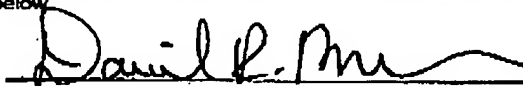
filed on _____

CERTIFICATE OF MAILING (37 CFR 1.89(a))

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

July 6, 2009

Date



Signature

Daniel R. Brown

Typed or Printed Name of Person Signing Certificate

[page 1 of 3]

This collection of information is required by 37 CFR 1.378(c). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450

If you need assistance in completing the form, call 1-800-PTO-8199 and select option 2.

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PTO/SB/66 (03-09)

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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1. SMALL ENTITY

☒ Patentee claims, or has previously claimed, small entity status. See 37 CFR 1.27.

2. LOSS OF ENTITLEMENT TO SMALL ENTITY STATUS

☐ Patentee is no longer entitled to small entity status. See 37 CFR 1.27(g)

3. MAINTENANCE FEE (37 CFR 1.20(e)-(g))

The appropriate maintenance fee must be submitted with this petition, unless it was paid earlier.

NOT Small Entity			Small Entity		
Amount	Fee	(Code)	Amount	Fee	(Code)
<input type="checkbox"/> \$	3 ½ yr fee	(1551)	<input checked="" type="checkbox"/> \$ 490.00	3 ½ yr fee	(2551)
<input type="checkbox"/> \$	7 ½ yr fee	(1552)	<input type="checkbox"/> \$	7 ½ yr fee	(2552)
<input type="checkbox"/> \$	11 ½ yr fee	(1553)	<input type="checkbox"/> \$	11 ½ yr fee	(2553)

MAINTENANCE FEE BEING SUBMITTED \$ 490.00

4. SURCHARGE

The surcharge required by 37 CFR 1.20(f)(2) of \$ 1,640.00 (Fee Code 1558) must be paid as a condition of accepting unintentionally delayed payment of a maintenance fee.

SURCHARGE FEE BEING SUBMITTED \$ 1,640.00

5. MANNER OF PAYMENT

☒ Enclosed is a check for the sum of \$ 2,130.00☐ Please charge Deposit Account No. _____ the sum of \$ _____☐ Payment by credit card. Form PTO-2038 is attached.

6. AUTHORIZATION TO CHARGE ANY FEE DEFICIENCY

☒ The Director is hereby authorized to charge any maintenance fee, surcharge or petition deficiency to Deposit Account No. 601517

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PTO/SB/66 (03-08)

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7. OVERPAYMENT

As to any overpayment made please

- OR ☒ Credit to Deposit Account No. 501507
- ☐ Send refund check

WARNING:

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.

8. STATEMENT

The delay in payment of the maintenance fee to this patent was unintentional.

9. PETITIONER(S) REQUEST THAT THE DELAYED PAYMENT OF THE MAINTENANCE FEE BE ACCEPTED AND THE PATENT REINSTATED

Daniel R. Brown
Signature(s) of Petitioner(s)

July 8, 2009

Date

Daniel R. Brown

Typed or printed name(s)

37,787

Registration Number, if applicable

817-431-1799

Telephone Number

57 Stagecoach Road

Address

Fort Worth, TX 76244

Address

37 CFR 1.378(d) states: "Any petition under this section must be signed by an attorney or agent registered to practice before the Patent and Trademark Office, or by the patentee, the assignee, or other party in interest."

ENCLOSURES

- ☒ Maintenance Fee Payment
- ☒ Surcharge under 37 CFR 1.20(i)(2) (fee for filing the maintenance fee petition)
- ☐

[Page 3 of 3]

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OFFICE OF PETITIONS

MEDIA DECOR 9385 E.W. 13th Avenue Ft Lauderdale, FL 33315 954-684-1104		31615	DATE 06/26/09
PAY TO THE ORDER OF The Commissioner for Patents		2	
Two thousand one hundred and twenty		8 2130	
WACHOVA BANK, N.A.		DOLLARS	
MEMO Mark Fee US Pat 6,901,987		[X] <input type="checkbox"/> <input type="checkbox"/>	
[REDACTED]		[REDACTED]	
[REDACTED]		[REDACTED]	



US06901987R1

(12) **United States Patent**
Graham

(10) Patent No.: **US 6,901,987 B1**
(45) Date of Patent: **Jun. 7, 2005**

(54) **FURLED DECORATIVE COVERING**
APPARATUS AND METHOD

(76) Inventor: **Jonathan W. Graham, 1020 SE. 11th**
St., Fort Lauderdale, FL (US) 33316

(*) Notice. Subject to any disclaimer, the term of this patent is extended or adjusted under 35 U.S.C. 154(b) by 0 days.

(21) Appl. No.: 10/672,818

(22) Filed: Sep. 26, 2003

(51) Int. Cl.⁷ **E06B 9/08**

(52) U.S. Cl. **160/121.1; 160/268.1;**
160/85; 160/31

(58) Field of Search **160/85, 86, 120,**
160/121.1, 98, 310, 311, 25, 31, 127, 239,
160/741, 268.1, 405

(56) **References Cited**

U.S. PATENT DOCUMENTS

2,349,368 A * 5/1944 Meyers 126/285 R
3,308,872 A * 3/1967 Smith 160/120
4,079,772 A * 3/1978 Kjaerhammer et al. . 160/268.1
4,329,716 A * 5/1982 Porto
4,419,982 A * 12/1983 Eckels 126/625
4,766,941 A * 8/1988 Sloop et al. 160/241
5,123,474 A * 6/1992 Smith 160/310
5,138,462 A * 8/1992 Skovgaard
5,264,765 A * 11/1993 Pecorino
5,467,266 A * 11/1995 Jacobs et al. 700/56

5,566,736 A * 10/1996 Crider et al. 160/121.1
5,568,831 A * 10/1996 Blackwell 160/98
5,720,137 A * 2/1998 Rodriguez 52/202
6,070,642 A * 6/2000 Douglas et al. 160/310

* cited by examiner

Primary Examiner—David Puroi

(74) Attorney, Agent, or Firm—Dan Brown Law Office; Dan R. Brown

(57) **ABSTRACT**

A decorative covering apparatus and method. A frame with an opening formed into it has a first roller that rotates about an axis. A flexible cover is arranged to loop between a first edge that is fixed relative to the frame and a second edge that is affixed to the first roller. A second roller is disposed at the apex of the loop in the flexible cover, and a motor is coupled to rotate the first roller in a first direction and in a second direction. This action causes a furling and unfurling the flexible cover to reveal and conceal the opening. It also causes the second roller to traverse the opening in the frame. A decorative frame is attached to the frame. The decorative cover is adapted to conceal and reveal a wall mounted object located behind the opening in the frame, such as a flat panel television set. Control is implemented with a remote control receiver, which receives a control signal that is coupled to control the motor to rotate in an up and down direction. The flexible cover has a decorative image disposed on a first side that is aligned to be visible when the flexible cover is unfurled to conceal the opening.

29 Claims, 6 Drawing Sheets

